

Town Board Minutes

April 3, 2006

Meeting No. 10

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 3rd day of April 2006, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: MARK MONTOUR, COUNCIL MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

IN THE MATTER OF THE SEQR REVIEW OF THE

DUNKIN DONUTS SITE PLAN

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Dunkin Donuts site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SZYMANSKI
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION

DUNKIN DONUTS SITE PLAN

NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.29 acres.

The location of the premises being reviewed is situate at the southeast corner of Transit Road and Flix Drive, Lancaster, County of Erie, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.
 - Pesticide or herbicide may be applied more than twice a year for lawn care.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area

(CEA).

15. The proposed action will not affect existing transportation systems.
N.B. The driveway ingress/egress illustrated on the site plan at Transit Road shall be eliminated and removed so that there is no direct ingress and egress onto Transit Road from the site pursuant to the requirement of NYSDOT. The project will continue its second ingress and egress point as shown on the site plan at the Flix driveway which from there provides access to Transit Road.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate impact on the character of the existing community.
 - The project may increase demand for police and fire services.
 - The action will create employment.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

April 3, 2006

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

| | |
|------------------------------------|------------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | WAS ABSENT |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |
| PLANNING BOARD MEMBER ANDERSON | VOTED YES |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | WAS ABSENT |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | VOTED YES |

The Notice of Determination was thereupon unanimously adopted.

April 3, 2006

ADJOURNMENT:

ON MOTION OF PLANNING BOARD CHAIRMAN KEYSA AND
SECONDED BY COUNCIL MEMBER STEMPNIAK FOR ADJOURNMENT OF THE
MEETING, which resulted as follows:

| | |
|------------------------------------|------------|
| COUNCIL MEMBER AMATURA | VOTED YES |
| COUNCIL MEMBER MONTOUR | WAS ABSENT |
| COUNCIL MEMBER RUFFINO | VOTED YES |
| COUNCIL MEMBER STEMPNIAK | VOTED YES |
| SUPERVISOR GIZA | VOTED YES |
| PLANNING BOARD MEMBER ANDERSON | VOTED YES |
| PLANNING BOARD MEMBER GOBER | VOTED YES |
| PLANNING BOARD MEMBER KORZENIEWSKI | VOTED YES |
| PLANNING BOARD MEMBER MYSZKA | WAS ABSENT |
| PLANNING BOARD MEMBER SOCHA | VOTED YES |
| PLANNING BOARD MEMBER SZYMANSKI | VOTED YES |
| PLANNING BOARD CHAIRMAN KEYSA | VOTED YES |

The meeting was adjourned at 6:50 P.M.

Signed _____
Johanna M. Coleman, Town Clerk